

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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TEAMSTERS HEALTH & WELFARE  
FUND OF PHILADELPHIA AND  
VICINITY, and  
TEAMSTERS PENSION FUND OF  
PHILADELPHIA AND VICINITY

Plaintiffs,

v.

RICCELLI PREMIUM PRODUCE, INC.

Defendant.

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HON. JEROME B. SIMANDLE

Civil No. 09-6455 (JBS-JS)

**ORDER**

This matter having come before the Court upon Plaintiffs' motion for default judgment [Docket Item 6] and upon Defendant's motion to vacate default [Docket Item 8]; the Court having considered the submissions in support thereof and opposition thereto; for the reasons stated in the Memorandum Opinion of today's date; and for good cause shown;

IT IS, this 19th day of **November, 2010**, hereby

ORDERED that Defendant's motion to vacate default shall be, and it hereby is, GRANTED; and it is further

ORDERED that Defendant shall answer or otherwise plead to the Complaint within fourteen (14) days of the entry of this Order; and it is further

ORDERED that Plaintiffs' motion for default judgment shall be, and it hereby is, DENIED.

**s/ Jerome B. Simandle**

JEROME B. SIMANDLE  
U.S. District Judge